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FILED

Dec 16 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

United States Courts
Southern District of Texas
FILED

January 15, 2021

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

4:21-cr-0085

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH ALBERT COREY,

Defendant.

CASE NO. CR20-481 RS

VIOLATIONS:

18 U.S.C. § 1349 – Conspiracy to Commit Wire
Fraud;

18 U.S.C. § 1343 – Wire Fraud (Three Counts);

18 U.S.C. § 1957 – Money Laundering; (Two
Counts);

18 U.S.C. §§ 981, 982, and 28 U.S.C. § 2461(c) --
Forfeiture Allegation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

At all times relevant to this Indictment:

DEFENDANT AND RELEVANT ENTITIES

1. From in or about 2018 to in or about March 2020, Defendant JOSEPH ALBERT COREY resided in or around San Francisco, California and in or around Los Angeles, California. In or about March 2020, COREY left the Los Angeles area for Mexico.

2. Intuitive Surgical, Inc. was a publicly traded company incorporated in Delaware in or about December 1995 that sold medical devices and equipment.

INDICTMENT

1 3. Intuitive Holdings, LLC was a company incorporated in California in or about September
2 2014. It had no relationship with Intuitive Surgical, Inc.

3 4. Equicare Medical Supply Inc. was a company incorporated in California in or about
4 November 1994 that sold medical devices and equipment.

5 5. Comerica was a federally insured financial institution incorporated in Texas.

6 6. The Bank of America Corporation was a federally insured financial institution
7 incorporated in North Carolina.

8 7. North Star Leasing Company was a financial institution incorporated in Vermont.

9 8. HomeTrust Bank was a federally insured financial institution incorporated in North
10 Carolina.

11 9. Pawnee Leasing Corporation was a financial institution incorporated in Colorado.

12 10. Crestmark Vendor Finance was a subsidiary of Metabank, a federally insured financial
13 institution incorporated in South Dakota.

14 THE SCHEME AND ARTIFICE TO DEFRAUD

15 11. Beginning on a date unknown but no later than March 2019, and continuing through a
16 date unknown but to at least October 1, 2020, COREY and others, known and unknown to the grand
17 jury, did knowingly conspire to devise and intend to devise a scheme and artifice to defraud as to a
18 material matter, and to obtain money and property by means of materially false and fraudulent pretenses,
19 representations, and promises, and by omission and concealment of material facts, and, for the purpose
20 of executing such scheme or artifice did transmit, and cause to be transmitted, by means of wire
21 communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds.

22 12. COREY and others, known and unknown to the grand jury, participated in, devised, and
23 intended to devise a fraudulent medical device loan scheme whereby they defrauded lenders using the
24 following manner and means, among others: (1) unlawfully using the identity of a real doctor to apply
25 for a loan; (2) falsely representing to the lender that the loan was for the purchase of a medical device;
26 (3) including in the loan application a quote for a medical device, seemingly from a legitimate medical
27 device company; (4) renting a mailbox address and opening bank accounts in a company name that
28 closely resembled or was identical to that of the legitimate medical device company; and (5) to enhance

the legitimate appearance of their loan application, having the lenders wire the loan amount directly to a bank account in the company name that closely resembled or was identical to that of the legitimate medical device company.

THE EXECUTION OF THE WIRE FRAUD SCHEME

Fraudulent Loans in 2019

13. On or about March 8, 2019, under the alias Aaron Schwartz, COREY rented a mailbox with Executive Base Network (EBN) at 111 Deerwood Road, Suite 200, San Ramon, California, in the name of Intuitive Holdings, LLC. The application listed Aaron Schwartz as the President/Owner of Intuitive Holdings, LLC and as the only individual authorized to pick up mail for that mailbox.

14. On or about March 8, 2019, under the alias Aaron Schwartz, COREY opened a Comerica bank account in the name of Intuitive Holdings, LLC ending in 0537 (the "Comerica 0537 bank account"). The mailing address for this account was the EBN rental mailbox at 111 Deerwood Road, Suite 200, San Ramon, California.

15. On or about April 9, 2019, a loan application to North Star Leasing Company was unlawfully submitted using the identity for Dr. D.M. The true Dr. D.M., whose identity is known to the grand jury, did not submit the application. The loan was purportedly for the purchase of a Da Vinci medical device manufactured by Intuitive Surgical, Inc.

16. The loan application provided that if the loan was approved, North Star Leasing Company should wire the money to the Comerica 0537 bank account. The application identified the name on this account only as "Intuitive." After approving the loan application, North Star Leasing Company wired \$100,050 to the Comerica 0537 bank account on or about April 18, 2019.

17. On or about April 15, 2019, a loan application to HomeTrust Bank was unlawfully submitted using the identity for Dr. M.M. The true Dr. M.M., whose identity is known to the grand jury, did not submit the application. The loan was purportedly for the purchase of the same Da Vinci medical device manufactured by Intuitive Surgical, Inc.

18. The loan application provided that if the loan was approved, HomeTrust Bank should wire the money to the Comerica 0537 bank account. The application identified the name on this account only as "Intuitive." After approving the loan application, HomeTrust Bank wired \$106,760 to the

1 Comerica 0537 bank account on or about April 17, 2019.

2 19. On or about April 17, 2019, a loan application to Pawnee Leasing Corporation was
3 unlawfully submitted using the identity for Dr. I.S. The true Dr. I.S., whose identity is known to the
4 grand jury, did not submit the application. The loan was purportedly for the purchase of the same Da
5 Vinci medical device manufactured by Intuitive Surgical, Inc.

6 20. The loan application provided that if the loan was approved, Pawnee Leasing Corporation
7 should wire the money to the Comerica 0537 bank account. The application identified the name on this
8 account only as "Intuitive." After approving the loan application, Pawnee Leasing Corporation wired
9 \$96,000 to the Comerica 0537 bank account on or about April 18, 2019.

10 Continuing Fraudulent Loans in 2020

11 21. On or about June 19, 2020, under the alias Jason Levy and in furtherance of the scheme
12 to defraud, a mailbox was rented at Water Garden Business Center, 5755 Oberlin Drive, Suite 301, San
13 Diego, California.

14 22. On or about July 29, 2020, a loan application to Crestmark Vendor Finance was
15 unlawfully submitted using the identity for Dr. E.K. The true Dr. E.K., whose identity is known to the
16 grand jury, did not submit the application. The loan was purportedly for the purchase of a medical
17 device sold by Equicare Medical Supply Inc.

18 23. The loan application provided that if the loan was approved, Crestmark Vendor Finance
19 should wire the money to a Bank of America account ending in 7411 (the "BOA 7411 bank account").
20 That account was in the name of "Equicare Medical Supply Inc.," but it did not belong to the legitimate
21 medical device vendor. The account had been opened about six weeks earlier on or about June 18, 2020.
22 After approving the loan application, Crestmark Vendor Finance wired \$96,767.73 to the BOA 7411
23 bank account on or about August 26, 2020.

24 24. On or about August 27, 2020, \$80,000 was transferred from the BOA 7411 bank account
25 to another account at Bank of America ending in 7453 (the "BOA 7453 bank account"). Like the BOA
26 7411 bank account, the BOA 7453 bank account was opened with Bank of America on or about June 18,
27 2020 in the name of "Equicare Medical Supply Inc."

LAUNDERING OF THE PROCEEDS OF THE WIRE FRAUD

25. Beginning on a date unknown but no later than in or about April 2019, and continuing through in or about October 2020, COREY and others known and unknown to the grand jury laundered the proceeds of the fraudulent loan scheme described above through purchases of gold from precious-metals dealers. Money that had been wired to the fraudulent medical device company bank accounts was used to pay for orders of gold. In some instances, the purchased gold was re-sold within a short time period to a different precious-metals dealer. These transactions were designed to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the wire fraud. Certain transactions, including the following, involved criminally derived property of a value greater than \$10,000.

26. On or about April 18, 2019, COREY purchased \$68,649.88 worth of gold from precious-metals dealer Colorado Gold. The order was shipped to the rental mailbox at 111 Deerwood Road, Suite 200, San Ramon, California. The payment to Colorado Gold was made with a paper check drawn against the Comerica 0537 bank account and signed by "Aaron Schwartz." COREY picked up the gold at 111 Deerwood Road, Suite 200, San Ramon, California on or about May 1, 2019.

27. On or about April 18, 2019, COREY purchased \$68,903.63 worth of gold from precious-metals dealer Buy Gold and Silver Coins. The order was shipped to the rental mailbox at 111 Deerwood Road, Suite 200, San Ramon, California. The payment to Buy Gold and Silver Coins was made with a paper check drawn against the Comerica 0537 bank account and signed by "Aaron Schwartz." COREY picked up the gold at 111 Deerwood Road, Suite 200, San Ramon, California on or about May 2, 2019.

28. On or about September 2, September 8, and September 10, 2020, respectively, three separate gold orders, totaling nearly \$130,000, were placed with precious-metals dealer William Youngerman Inc. Those orders were paid for using the BOA 7411 bank account and the BOA 7453 bank account. All three orders were shipped to the rental mailbox at 5755 Oberlin Drive, Suite 301, San Diego, California.

29. On or about September 9 and September 11, 2020, an individual using the alias "Enzo" sold \$36,200 and \$21,000, respectively, worth of gold to precious-metals dealer Northridge Gold Mine. The checks received from the sales were deposited into a bank account in the name of a company whose

1 sole owner and authorized signatory was a known associate of COREY and a person whose identity is
2 known to the grand jury.

3 30. On or about September 28, 2020, a payment for \$118,350 from the BOA 453 bank
4 account was sent to William Youngerman Inc. for another purchase of gold. In consultation with law
5 enforcement, William Youngerman Inc. shipped a ruse package to the mailbox at 5755 Oberlin Drive,
6 Suite 301, San Diego, California.

7 31. On or about October 1, 2020, while attempting to take possession of the ruse package
8 COREY's known associate and the person referenced in paragraph 29 above, fled from the scene and
9 drove to Mexico.

10 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

11 32. Paragraphs 1 through 24 of this Indictment are re-alleged and incorporated as if fully set
12 forth here.

13 33. Beginning at a date unknown but no later than March 2019, and continuing through a
14 date unknown but to at least October 1, 2020, in the Northern District of California and elsewhere, the
15 defendant,

16 JOSEPH ALBERT COREY,

17 and others, known and unknown to the grand jury, did knowingly conspire to devise and intend to devise
18 a scheme and artifice to defraud as to a material matter and to obtain money and property by means of
19 materially false and fraudulent pretenses, representations, and promises, and by omission and
20 concealment of material facts, and, for the purpose of executing such scheme or artifice and attempting
21 to do so, did transmit, and cause to be transmitted, by means of wire communication in interstate and
22 foreign commerce, certain writings, signs, signals, pictures, and sounds, in violation of Title 18, United
23 States Code, Section 1343.

24 All in violation of Title 18, United States Code, Section 1349.

25 COUNTS TWO THROUGH FOUR: (18 U.S.C. § 1343 – Wire Fraud)

26 34. Paragraphs 1 through 24 of this Indictment are re-alleged and incorporated as if fully set
27 forth here.

28 35. Beginning at a date unknown but no later than in or about March 2019, and continuing

through a date unknown but to at least October 1, 2020, in the Northern District of California and elsewhere, the defendant,

JOSEPH ALBERT COREY,

knowingly and with the intent to defraud participated in, devised, and intended to devise a scheme and artifice to defraud as to a material matter, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by means of omission and concealment of material facts.

36. On or about the dates listed in the table below, such dates being approximate, in the Northern District of California and elsewhere, for the purpose of executing the aforementioned scheme and artifice to defraud; and attempting to do so, the defendant did knowingly transmit and cause to be transmitted in interstate and foreign commerce, by means of a wire communication, certain writings, signs, signals, pictures, and sounds:

Count	Approximate Date	Description of the Monetary Transaction
2	April 18, 2019	Approximately \$100,050 wire transfer via Fedwire from North Star Leasing Company to Comerica bank account ending in 0537
3	April 17, 2019	Approximately \$106,760 wire transfer via Fedwire from HomeTrust Bank to Comerica bank account ending in 0537
4	April 18, 2019	Approximately \$96,000 wire transfer via Fedwire from Pawnee Leasing Corporation to Comerica bank account ending in 0537

All in violation of Title 18, United States Code, Section 1343.

COUNTS FIVE AND SIX: (18 U.S.C. § 1957 – Money Laundering)

37. Paragraphs 1 through 10 and 25 through 31 of this Indictment are re-alleged and incorporated as if fully set forth here.

38. On or about the dates listed in the table below, such dates being approximate, in the Northern District of California and elsewhere, the defendant,

JOSEPH ALBERT COREY,

knowingly engaged in the following monetary transactions, in and affecting interstate and foreign commerce, which involved the proceeds of specified unlawful activity in excess of \$10,000, specifically, wire fraud, in violation of 18 U.S.C. § 1343, knowing that the property involved in the financial

1 transactions represented the proceeds of some form of unlawful activity, as follows:

Count	Approximate Date	Description of the Monetary Transaction
5	April 18, 2019	Purchase of gold from Colorado Gold with payment of \$68,649.88 from Comerica bank account ending in 0537
6	April 18, 2019	Purchase of gold from Buy Gold and Silver Coins with payment of \$68,903.63 from Comerica bank account ending in 0537

8 All in violation of Title 18, United States Code, Section 1957.

9 **FORFEITURE ALLEGATION:** (18 U.S.C. §§ 981, 982, and 28 U.S.C. § 2461(c))

10 39. The allegations contained in this Indictment are re-alleged and incorporated by reference
11 for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981, 982, and
12 Title 28, United States Code, Section 2461(c).

13 Upon conviction for any of the offenses set forth in this Indictment, the defendant,

14 **JOSEPH ALBERT COREY,**

15 shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981, 982, and Title
16 28, United States Code, Section 2461(c), all property, real or personal, constituting, or derived from
17 proceeds the defendant obtained directly and indirectly, as the result of those violations, including but
18 not limited to money and property taken by COREY and/or a forfeiture money judgment.

19 If any of the property described above, as a result of any act or omission of the defendant:

- 20 a. cannot be located upon exercise of due diligence;
- 21 b. has been transferred or sold to, or deposited with, a third party;
- 22 c. has been placed beyond the jurisdiction of the court;
- 23 d. has been substantially diminished in value; or
- 24 e. has been commingled with other property which cannot be divided without
25 difficulty,

26 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
27 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

28 //

INDICTMENT

1 All pursuant to Title 18, United States Code, Sections 981, 982 and Title 28, United States Code,
2 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.
3

4 DATED: December 15, 2020

A TRUE BILL.

5
6 /s/
7 FOREPERSON

8 DAVID L. ANDERSON
9 United States Attorney

10 /s/ Mohit Gourisaria
11 MOHIT GOURISARIA
12 Assistant United States Attorney
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INDICTMENT

PENALTY SHEET ATTACHMENT

Count One

18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud

Maximum Penalties: 30 years' imprisonment (18 U.S.C. § 1343)
\$1,000,000 fine (*Id.*)
5 years of supervised release (18 U.S.C. § 3583(b)(1))
\$100 special assessment (18 U.S.C. § 3013)

Counts Two, Three, and Four

18 U.S.C. § 1343 – Wire Fraud

Maximum Penalties: 30 years' imprisonment (18 U.S.C. § 1343)
\$1,000,000 fine (*Id.*)
5 years of supervised release (18 U.S.C. § 3583(b)(1))
\$100 special assessment (18 U.S.C. § 3013)

Counts Five and Six

18 U.S.C. § 1957 – Money Laundering

Maximum Penalties: 10 years' imprisonment (18 U.S.C. § 1957(b)(1))
\$250,000 or twice the amount of the criminally derived proceeds
(18 U.S.C. 3571(b)(3); 18 U.S.C. § 1957(b)(2))
3 years of supervised release (18 U.S.C. § 3583(b)(2))
\$100 special assessment (18 U.S.C. § 3013)

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DAVID L. ANDERSON (CABN 149604)
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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

Dec 16 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
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SAN FRANCISCO

United States Courts
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Nathan Ochsner, Clerk of Court

4:21-cr-0085

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH ALBERT COREY,

Defendant.

CASE NO.: CR20-481 RS

MOTION TO SEAL
AND [PROPOSED] ORDER

UNDER SEAL

The United States, by and through its counsel, Assistant United States Attorney Mohit Gourisaria, moves this Court for an order sealing this Motion, this Sealing Order, the Indictment, and other related documents in the above-referenced investigation. Disclosure of the specified documents may cause the subjects of the Indictment to flee, destroy evidence, or conceal ongoing criminal activity, jeopardizing the progress of the ongoing investigation and the arrest of the defendant.

Accordingly, the United States requests that the Court seals these documents, except that the Clerk of Court shall provide copies of the sealed documents to employees of the United States Attorney's Office. The United States further requests that the United States Attorney's Office be permitted to share these documents as necessary to comply with its discovery obligations, and with the Federal Bureau of Investigation, which should be allowed to share the results of the investigation with

[PROPOSED] SEALING ORDER

other law enforcement and intelligence agencies, including foreign law enforcement and intelligence agencies, for use in investigation and prosecution.

DATED: December 15, 2020

Respectfully submitted,

DAVID L. ANDERSON
United States Attorney

/s/ Mohit Gourisaria
Mohit Gourisaria
Assistant United States Attorney

[PROPOSED] ORDER

Upon motion of the United States and good cause having been shown, IT IS HEREBY ORDERED that the government's Motion, Indictment, this Sealing Order, and other related documents in this case shall be sealed, except that the Clerk of Court shall provide copies of the sealed documents to employees of the United States Attorney's Office. The United States Attorney's Office is permitted to share these documents as necessary to comply with its discovery obligations, and with the Federal Bureau of Investigation, which should be allowed to share the results of the investigation with other law enforcement and intelligence agencies, including foreign law enforcement and intelligence agencies, for use in investigation and prosecution.

IT IS SO ORDERED.

DATED: December 15, 2020


HON. LAUREL BEELER
United States Magistrate Judge

AO 442 (Rev. 11/11) Arrest Warrant

Sealed
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to this instrument are
prohibited by court order

UNITED STATES DISTRICT COURT

for the
Northern District of California

United States of America
v.

Joseph Albert Corey

Case No. CR20-481 RS

4:21-cr-0085

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Joseph Albert Corey
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☒ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Count 1: 18 U.S.C. § 1349 - Conspiracy to Commit Wire Fraud
Counts 2-4: 18 U.S.C. § 1343 - Wire Fraud
Counts 5, 6: 18 U.S.C. § 1957 - Money Laundering

Date: 12/15/2020

City and state: San Francisco, CA


Issuing officer's signature

Hon. Laurel Beeler, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title